

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

| | | |
|------------------|---|-------------------|
| In re: | § | Case No. 16-20117 |
| | § | |
| CRUZ FAVELA, JR. | § | |
| | § | |
| | § | |
| Debtor | § | Chapter 13 |

**UNIFORM MOTION TO AMEND CONFIRMED CHAPTER 13 PLAN TO SATISFY RECENTLY
FILED, TIMELY PROOFS OF CLAIM**

This motion seeks to amend the confirmed plan in this case. If you object to the proposed amendment, you must file a written objection with the clerk of the Court. The deadline for the filing of objections is 30 days after service of the motion. A hearing has been set on this matter on December 6, 2016 in The United States Bankruptcy Court, 1133 N. Shoreline, Corpus Christi, TX. If no timely objection is filed, the amendment may be approved without an actual hearing.

Debtor(s) move to amend the plan confirmed by the Court on 7/18/2016. The plan has been rendered deficient by the filing of timely proofs of claim for amounts not contemplated by the confirmed plan.

1. Payments by the Debtor(s) to the chapter 13 trustee are amended as follows:

| Months | Old Amount | New Amount |
|---------------|---------------------|---------------------|
| 1-7 | \$2000 | \$2000 |
| 8-60 | \$2000 | \$2400 |
| | | |
| TOTALS | \$118,000.00 | \$141,200.00 |

2. Check one of the following:

- X A. The confirmed plan already provides for the treatment of all the newly filed claims. Only the amount of the claim differs or the new claim is a general unsecured claim.
- ☐ B. The confirmed plan does not provide treatment of the following newly filed secured or priority claims:

| Creditor | Describe Nature or priority | Amount of Claim | See Exhibit for Proposed Treatment |
|---------------------------|--|-----------------|------------------------------------|
| Ocwen Loan Servicing, LLC | Secured – Debtor’s Residential Homestead | \$79,961.65 | Ex. A |
| | | \$ | Ex. B |
| | | \$ | Ex. C |

For each claim listed in the preceding chart, a separate exhibit is attached.

3. Check one of the following:

☒ A. Along with this motion, the Debtor(s) have filed a proposed, amended wage order to reflect the increased payment required by the proposed amendment.

☐ B. The Debtor(s) certify that they have amended their electronic funds transfer mechanism to reflect the increased payment required by the proposed amendment.

☐ C. The Debtor(s) authorize the chapter 13 trustee to increase the amount of their ACH payment to reflect the increased payment required by the proposed amendment.

Submitted by

Joel Gonzalez

Joel Gonzalez
SBOT 24053233
Fed ID 632677
5350 S.Staples, St., Ste. 406
Corpus Christi, TX 78411
Tel. 361-887-6363
Fax. 361-654-3622

/s/ Cruz Favela Jr.
Debtor

CERTIFICATE OF SERVICE

This is to certify that on 10/17/2016, a true and correct copy of the foregoing was/were served via First Class Mail and/or via electronic mail to all the parties listed below.

TRUSTEES

Cindy Boudloche, Trustee
555 N. Carancahua, Ste. 600
Corpus Christi, TX 78475

United States Trustee
515 Rusk, Suite 3516
Houston, TX 77002

Ocwen Loan Servicing, LLC
PO Box 24605
West Palm Beach, FL 33416

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

| | | |
|------------------|---|-------------------|
| In re: | § | Case No. 16-20117 |
| | § | |
| CRUZ FAVELA, JR. | § | |
| | § | |
| | § | |
| Debtor | § | Chapter 13 |

EXHIBIT " A "

| | |
|---|---------------------------|
| Name of Creditor | Ocwen Loan Servicing, LLC |
| Total amount of claim | \$76,961.65 |
| Value of Collateral (n/a for priority claims) | \$81,941.00 |
| Principal amount to be paid under plan | |
| Interest rate to be paid under plan | |
| Schedule of payment amounts | |

| Months | Monthly Amounts |
|-------------------------------|--------------------|
| 1-60 on-going mortgage | \$919.46 |
| Pro-rata arrears | \$27,331.53 |
| | \$ |
| | \$ |

This claim will be treated pursuant to the following paragraph of the confirmed plan (check one):

- ☐ Paragraph 2 (Priority Claims)
- ☐ Paragraph 3 (Surrender)
- ☒ Paragraph 4A (Principal Residence)
- ☐ Paragraph 5 (910 Day Claim with full payment)
- ☐ Paragraph 6 (910 Day Claim without full payment)
- ☐ Paragraph 7 (Secured Claims paid direct by Debtor)
- ☐ Paragraph 8 (Other Secured Claims paid through Trustee)